

Amendments To The Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A game machine that is provided with an electrically rewritable rewritable nonvolatile memory having two or more game data backup areas, said game machine being capable of writing game data into said backup areas, comprising:

[[a]] backup memory area selector for selecting selection programmed logic circuitry to select, as a write-objective backup area for storing last game data, a backup area containing previously stored game data of oldest writing age among said two or more backup areas;

[[a]] memory controller for writing the last game data to a backup area selected as said write-objective backup area by said area selector;

memory write determination programmed logic circuitry to determine a processing mechanism for determining whether or not a writing of the last game data can be to said nonvolatile memory is successfully performed by said memory controller;

a selection repeater for repeating a selection of memory write attempt repeater programmed logic circuitry to repeatedly attempt writing to the write-objective backup area for a predetermined number of attempts[[,]] if it is determined by said memory write determination programmed logic circuitry that writing of the last game data can is not be successfully performed; and

[[a]] writing prohibitor for prohibiting programmed logic circuitry to prohibit a writing of the last game data to said game data backup areas and end a game data backup area writing process without storing said last game data if attempting a writing of said last game data to said selected write-objective backup area is unsuccessful after said predetermined number of attempts

~~and write objective backup area only when only~~ a backup area containing game data saved immediately before the last game data ~~becomes selectable~~ is available as a write-objective backup area.

2. (Currently Amended) A game machine according to claim 1, wherein said memory write determination programmed logic circuitry processing mechanism records includes a historical information storage programmed logic circuitry for recording historical information used for determining relative age including information relating to a write age of generated game data, said historical information being included as part of said last game data, and for determining an age of said generated game data relative to a write age of other stored game data based on said historical data; and

said backup memory area selection programmed logic circuitry includes an earliest write age selector which, said selector selects, before writing the last game data, selects as the write-objective backup area a backup area stored with game data that was written earlier than the last game data as the write-objective backup area based on said write age historical information.

3. (Canceled)

4. (Currently Amended) A game machine according to claim 1, further comprising [[a]] message display or for displaying displaying programmed logic circuitry to display a predetermined alarm message when the writing is prohibited by said prohibiting means writing prohibitor.

5. (Currently Amended) A game data backup control method wherein game data is written into two or more backup areas in an electrically rewritable storage area of a nonvolatile memory connected to a game machine, ~~the game machine including a CPU~~, comprising steps ~~performed by said game machine CPU~~ of:

selecting, when last game data is to be stored, a backup area stored with game data having an ~~elder writing time~~ oldest write age among said two or more backup areas as a write-objective backup area for said last game data;

attempting a writing of said last game data to said write-objective backup area selected [[by]] in said [[area]] selecting step;

determining whether or not [[the]] writing of the last game data ~~could be~~ to said nonvolatile memory is successfully performed ~~by~~ said writing step; ~~repeating~~ and, when it is determined ~~the~~ a writing of the last game data ~~could~~ is not be successfully performed, ~~by~~ said ~~determining step~~, ~~a selection of the writing object~~ repeatedly attempting a writing of said last game data to said selected write-objective backup area means as necessary for a predetermined number of attempts; and

prohibiting a writing of last game data to said write-objective backup area, two or more backup areas and ending a game data backup writing process without storing said last game data if said attempting a writing of said last game data to said selected write-objective backup area is unsuccessful after said predetermined number of attempts and when only a backup area stored with game data written immediately before the last game data is remaining as being selectable by said area selecting step.

6. (Currently Amended) A game data backup control method according to claim 5,

wherein said attempting a writing step of said last game data includes attempting a writing of historical data used for discriminating between relative [[age]] write ages of previously stored game data, said historical data being included in said last game data.

7. (Currently Amended) A game data backup control method according to claim [[5]]
6, wherein said selecting step a backup area as a write-objective backup area includes, before writing the last game data, selecting a backup area stored with game data written earlier than the last game data ~~as the write objective backup area on the basis of~~ based on the historical data.

8. (Canceled)

9. (Currently Amended) A game data backup control method according to claim 5, further comprising:

displaying a predetermined alarm message when said writing [[step]] is prohibited by said prohibiting step.

10. (Currently Amended) A game data backup control method for controlling whether last game data is written into backup areas in an electrically rewritable storage area of a nonvolatile memory connected to a game machine, comprising ~~steps of~~:

[[(a)]] selecting, as a write-objective, a backup area in said non-volatile memory that contains an oldest written game data and which is available for storing said last game data; and
[[(b)]] canceling writing of said last game data ~~when writing into said a selected write-objective backup area~~ and prohibiting further writing of last game data into any of said backup

areas when writing into said selected write-objective backup area is not successfully executable
and only a backup area containing game data stored immediately before the last game data was
generated is remains available for selecting selection as a write-objective backup area, so as to
leave intact wherein said game data that was stored immediately before generating the last game
data is left intact.

11. (Currently Amended) In a game machine having a nonvolatile memory, said
memory including a plurality of electrically rewritable game data backup storage areas, a method
of backing up game data, comprising:

[[(a)]] generating last game data corresponding to a last game played;
[[(b)]] designating one of said game data backup storage areas that contains older an
oldest written game data relative to game data written in other backup storage areas as a write-
objective target for storing said last game data; and
[[(c)]] canceling writing of said last game data into said designated write-objective target
backup storage area and prohibiting further attempts at writing into any of said backup storage
areas for backing up of last game data if writing to said designated write-objective target backup
storage area designated in (b) can not be performed remains unsuccessful after a predetermined
number of attempts and the only a backup storage area that is available for designating in step (b)
is a backup storage area that contains game data that was stored immediately prior to generating
said last game data remains available for selecting as a write-objective target; and
causing a display of said game machine to display an error message indicative of an
unsuccessful saving of last game data and/or a broken backup storage memory condition.

Claims 12-22. (Canceled)